

APPENDIX-A

**RULES RELATING TO CASES UNDER THE CHARTERED ACCOUNTANTS ACT,
1949 (ACT XXXVIII OF 1949)**

1. Register of cases — All cases received under by the High Court under Section 21 of the Chartered Accountants Act, 1949, shall be numbered and entered in a special register.

2. Filing of finding, etc. in Court — The Council of the institute of Chartered Accountants of India (hereinafter referred to as the Council) shall file in the office of the Registrar of the court the finding of the Council along with the report of the Disciplinary Committee and all other relevant papers which were before the council and the Disciplinary Committee and in particular the following documents:

(a) Complaint or information.

(b) Written statement of defence.

(c) Depositions of witnesses together with exhibits

(d) Notes of the hearing before the Disciplinary Committee and the Council.

The Council shall furnish to the Registrar of the court two extra copies of the aforesaid papers.

The Council shall also furnish to the Registrar of the Court the postal addresses of all persons on whom notices are required to be served under Section 21(2) of the said Act.

3. Fixing date of hearing — When the finding of the Council other papers have been filed in Court, the Registrar of the Court shall fix a date for the hearing of the case and shall forthwith issue notices.

4. Service of notices — Such notices shall be send by registered post to all persons to whom notices are required to be sent under the provisions of Section 21(2) of said Act at the addresses supplied by the Council and shall be served not less than 15 days before the date fix for the hearing of the case.

5. Cases to be heard before a Bench — The case shall be heard by a Bench consisting of not less than two Honourable Judges to be nominated by the Honourable the Chief Justice.

6. Copy of final order to be sent to Council — The Registrar of the Court shall send a certified copy of the final order passed in the case to the Council of the Institute of Chartered Accountants.

FORM OF NOTICE UNDER RULE 3

In the matter of
The Chartered Accountants Act (Act XXXVIII of (1949)
and

In the matter of
Member of the Institute of Chartered Accountants of India
... Petitioner

-Versus-

... Respondent

To

(1) Member of the Institute... .. the respondent, above named. ...

... ..

(2) Secretary of the Council of the Institute
of Chartered Accountants of India.

(3) Secretary to the Ministry of Finance,
Union Government, New Delhi.

Whereas the Council of the Institute of Chartered Accountants of India has
filed in this Court its finding dated the, and the report of the Disciplinary
Committee dated the, in the above case;

Now take notice that the honourable Court will proceed to hear the said case
and pass orders thereon on the day of, at 11 o'clock in the
forenoon when you may appear either in person or by an advocate and make
your submissions to the Court.

Dated this day of

APPENDIX-B

**RULES UNDER THE BANKING COMPANIES ACT, 1949 (ACT X OF 1949),
AS AMENDED BY THE BANKING COMPANIES ACT, 1953**

1. General headings—Application under part III or Part III-A of the Banking Companies Act, 1949 (hereinafter in this Appendix referred to as “the Act”), shall be instituted in the matter of the Act and in the matter of the Banking Company and where necessary in the matter of the Act under which the banking company has been ordered to be wound up.

2. Presentation and hearing of petitions under Part III or Part III-A of the Act—An application under any of the Sections of Part III or Part III-A of the Act shall be made by petition which shall be signed and verified in the same manner as a plaint. The petition shall be supported by an affidavit and shall be presented to the Judge taking Company winding up matters or to such other Judge as the Chief Justice may direct. The Judge shall hear the said application and pass such orders and give such directions as he deems proper, including directions for notice of the petition being given to such person or persons as may seem to him likely to be affected by the proceedings.

3. Notice of petition—Where a notice is directed to be given to any party, it shall be served together with a copy of the petition and the petition shall not be heard until fourteen days after the service of the notice, unless the Judge otherwise directs.

4. Applications in winding up to be by petition—Application for the determination of all questions of priorities and all other questions whatsoever whether of law or fact, which may relate to or arise in the course of the winding up of the Banking Company, shall be made by petition. The petition shall contain a statement of facts relied on and the nature of the relief asked for. The petition shall be signed and verified in the same manner as a plaint.

5. Notice of petition—Petition mentioned in the last preceding rule shall be presented to the Judge for the time being dealing with the proceedings for the winding up of the Banking Company or to such other Judge as the Chief Justice may direct. The Judge shall direct notice of the petition to be given to the respondent or such person or persons as may seem to him likely to be affected by the proceedings. Such notice shall be served together with a copy of the petition and the petition shall not be heard until fourteen days after service of the notice, unless the Judge otherwise directs.

6. Affidavit in answer—An answer to the petition mentioned in R.4 shall be made by filing an affidavit and a copy thereof shall be furnished to the petitioner

or his advocate atleast two clear days before the returnable date of notice.

7. Direction for hearing of the petition— On the date fixed for the hearing of the petition, the Court may proceed to hear the petition or give such directions as it may think proper as to discovery and inspection, examination or witnesses in court or in chambers, taking of evidence by affidavit or otherwise and generally for the speedy determination of the petition.

8. Transfer of suit and proceedings to the High Court— When the Office Liquidator or the liquidator appointed by the Court submits to the Court a report under Section 45-C(2) of the Act, he shall apply to the judge for the time being dealing with the proceedings for the winding up of the Banking Company or to such other Judge as the Chief Justice may direct, for directions as to the parties to whom notice may be given and the date and time for holding an inquiry whether or not the suits and proceedings mentioned in the report should be transferred to the High Court. The notice shall contain particular of the suit or proceedings in which the party may be concerned and require him to appear and show cause why it should not be transferred to the High Court. The notice shall be served fourteen days before the date appointed holding the inquiry.

9. Affidavit in reply— Any party desiring to oppose the transfer of the suit or proceeding to the High Court shall file an affidavit and furnish a copy thereof to the official Liquidator or the Liquidators appointed by the Court or his advocate, at least two clear days before the returnable date of the notice.

10. List of debtors— When the Official Liquidator or Liquidators appointed by the court files in the court list of debtors under Section 45-D(2) of the Act, he shall obtain an appointment from the Judge for the time being dealing with the proceeding for the winding up of the Banking Company or from such other Judge as the Chief Justice may direct, To settle the same shall give notice in writing of such appointment to every person mentioned in such list. The notice shall contain such of the particulars mentioned in the list of debtors as are applicable to such person. In case any variation or addition to such list as made by the Official Liquidator or the Liquidator appointed by the Court, a similar notice in writing shall be given to every person to whom such variation or addition applies. All such notice shall be served four weeks before the date appointed to settle such list, variation or addition.

11. Service of notice— Service of notice upon the debtors shall be affected by sending the notice through the post by a Registered letter or if the Judge so directs under certificate of posting. The notice shall be addressed to the party to his last known address or place of above and such notice shall be considered as served at the time the same ought to be delivered in due course of delivery by

Post Office and notwithstanding the same may be returned by the Post Office.

12. Affidavit in reply— If the debtor desires to show cause against the inclusion of his name in the list of debtors; he shall file an affidavit and furnish a copy thereof to the Official Liquidator or the Liquidator appointed by the Court or his advocates at least seven clear days before the day for the settlement of the list.

13. Settlement of the list of debtors— (1) On the date fixed for settlement of the list of debtors the court may settle the list or such part thereof as it may think proper. If the Court is of opinion that it is not immediately possible to adjudicate upon any particular debt mentioned in the list, it may give such directions as it may think proper as to discovery and inspection, examination of witnesses in Court or in Chambers, taking of evidence by affidavit or otherwise and generally for the speedy adjudication of the debt. The court may in a special case refer to the Official Liquidator or the Liquidator appointed by the Court to a regular suit.

(2) The certificate under Section 45-D(6) shall be in form No. 1 attached to the Appendix.

14. Official Liquidator or Liquidator appointed by the Court to report if he contests claims of depositors— If the Official Liquidator or the Liquidator appointed by the court desires to contest a claim shown in the books of the Company as due to a depositor on the ground that there is reason for doubting the correctness of any particular entry in the books, he shall make a report to the Judge for the time being dealing with the proceedings for the winding up of the Banking Company or to such other Judge as the Chief Justice may direct stating his reason for doubting the correctness of such entry; and if, upon such report the court is satisfied that there is prima facie reason for doubting the correctness of the entry, the Judge may cause notice to be given to the depositor concerned to come in and prove his claim.

15. Register of suits in winding up matters— Suits in respect of claims made by or against any Banking Company in Liquidation including claims by or against any of its Branches in India shall be entered in a separate register to be maintained by the office and shall be treated as expedited suits. If such suits have been filed before the date of the order for winding up, the Official Liquidator or the Liquidator appointed by the Court shall furnish to the office a list of such suits.

16. Hearing of suits and matters— All suits referred to in the preceding rule and all matters and proceedings connected with the suits shall be heard by the Judge for the time being dealing with the proceedings for the winding up of the Banking Company or by such other Judge as the Chief Justice may direct.

17. Procedure in such suits— Where the suit is filed as a summary suit, the procedure prescribed for summary suits shall be followed. In all other cases the suit shall be filed as a long cause and the following procedure shall be followed:

Within ten days of the service of the writ of summons or such longer period as the Judge may direct on the application of the plaintiff in that behalf, the plaintiff shall take out a summons for directions and the Judge shall give such directions as he may think proper as to filing the written statement and counter claim, if any, or points of defence, discovery, inspection, examination of witnesses in Court or in Chambers, taking of evidence by affidavit or otherwise and generally for the speedy determination of the suit.

18. Application for inspection of records— The Reserve Bank of India may apply to the Judge for the time being dealing with the proceedings for the winding up of the Banking Company or to such other judge as the Chief Justice may direct, for permission to inspect the records of the Banking Company, and such permission may be granted by the Judge in his discretion.

19. Appeals— Rules relating to appeals contained in the rules of this Court shall apply mutatis mutandis to appeal under sub-section(1) of Section 45-N of the Act.

20. Presentation of complaints and issue of process— Proceedings under Section 45-J of the Act shall commence with a complaint being presented by the Official Liquidator or the Liquidator appointed by the court to such Judge as the Chief Justice may direct. On presentation of the complaint the Judge may issue a summons or a bailable or non bailable warrant against the accused and shall fix a date for the trial, or may, if he thinks fit, postpone the issue of process for compelling the attendance of the person complained against and may direct an inquiry or investigation to be made by the police or by such other person as he thinks fit, or may dismiss the complaint as he may in his discretion think fit.

21. All complaints shall be filed in the filing Section and all processes shall issue from the office.

22. What offences to be tried summarily— Offences punishable under the Indian Companies Act, 1913 (Act VII of 1913), or under the Banking Companies Act, 1949(Act X of 1949) with imprisonment for a term which does not exceed two years or with fine which does not exceed one thousand rupees may be tried in a summary way.

An offence triable under Section 45-J(2) of the Act jointly with the offences mentioned in this rule may also be tried summarily: provided that it is punishable with imprisonment for a term which does not exceed two years or with fine which does not exceed one thousand rupees.

23. Procedure in summary trials— (1) Where an offence triable under Section 45-J(1) is tried summarily, the procedure provided in the Code of Criminal Procedure for the trial of summons cases shall so far as it is not inconsistent with the provisions of the Act be applicable. Where, however, the offence to be tried summarily under Section 45-J(1) is tried jointly with an offence under Section 45-J(2) the procedure provided in the Code of Criminal Procedure for the trial of warrant cases shall be applicable; provided that it shall not be necessary to adjourn the case under Section 256(1) of the code of Criminal Procedure before requiring the accused to enter upon his defence or inquiring of him whether he wishes to further cross examine any witness whose evidence has been taken.

(2) **Procedure in non summary trials—** Where the offences triable under Section 45-J are not tried summarily, the procedure provided in Code of Criminal Procedure for the trial of warrant cases shall, so far as it is not inconsistent with the provisions of the Act, be applicable

24. Bail— The Court may at any time grant bail to the accused on such terms as it thinks proper.

25. Accused person to be competent witness— Any person against whom a complaint is filed by the Official Liquidator or the Liquidator appointed by the Court under this Appendix shall be a competent witness for the defence and may give evidence on oath in disproof of the charges made against him or any person charged together with him at the same trial.

Provided that-

(a) he shall not be called or examined as a witness except with his consent,
 (b) his failure to give evidence shall not be made the subject of any comment by the prosecution or give rise to any presumption against himself or any person charged together with him at the same trial,

(c) he shall not be asked, and if asked shall not be required to answer, any question tending to show that he was committed or been convicted of any offence other than the offence with which he is charged, or is of bad character, unless-

(i) the proof that he has committed or been convicted of such offence is admissible evidence to show that he is guilty of offence with which he is charged, or

(ii) he has personally or by his advocate asked questions of any witness for the prosecution with a view to establishing his own good character, or has given evidence of his good character or the nature or conduct of the defence is such as to involve imputations on the character of the prosecutor or of any witness for the prosecution, or

(iii) he has given evidence against any other person charged with the same

offence.

26. Compounding of offences— All offences triable under this Appendix may be compounded with the leave of the Court.

27. Appeals against conviction— (a) Any person convicted on a trial held by the High Court in the exercise of its jurisdiction under Section 45-J of the Act may appeal to the High Court.

(i) against the conviction of any ground of appeal which involves a matter of law only,

(ii) with the leave of the Appellate Court or upon the certificate of the Judge who tried the case that it is a fit case for appeal, against the conviction on any ground of appeal which involves a matter of fact only, or a matter of mixed law and fact, or any other ground which appears to the Appellate Court to be a sufficient ground of appeal; and

(iii) with the leave of the Appellate Court, against the sentence passed unless the sentence is one fixed by law.

(b) **Appeal against acquittal**— The Official Liquidator or the Liquidator appointed by the court may appeal to the High Court against any order of acquittal on any ground of appeal which involves a matter of law only.

28. Period of limitation— An appeal under the last preceding rule shall be filed within 30 days from the date of the order appealed from. Section 5 of the Indian Limitation Act shall apply to appeals under this Appendix.

29. Application to the trial Judge for a certificate— An application to the Judge who tried the case for a certificate that it is a fit case for appeal may be made either orally at the end of the trial or by petition by giving the grounds on which such certificate is sought and showing that the period of limitation for the appeal has not expired.

30. Appeals shall be filed in the Filing Section.

31. Memorandum of appeal— The memorandum of appeal shall be made in the form of a petition in writing, giving the grounds of objection numbered consecutively, and the grounds upon which the leave, if any, of the Appellate Court is sought. It shall also show that the appeal is within time, and shall be accompanied by a certificate copy of the judgment and the sentence or order of the Court and also of the certificate of the Judge who tried the case that it is a fit case for appeal, when such certificate has been given.

32. Procedure of appeal— On presentation of an appeal, the date of such presentation shall be marked thereon, and it shall be accepted if within time, and placed on a Register of Appeals to be kept for the purpose. When an appeal appears to the Stamp Reporter to be beyond time, it shall be returned to the

party or his advocate, unless the party or his advocate applied for it to be placed before the Court for orders.

33. Admission of appeals—Applications referred to in the preceding rule, together with the memoranda of appeals in question, and appeal which have been accepted being within time shall be placed for admission before a division bench constituted by the Chief Justice and composed of less than two Judges being Judges other than the Judge by whom the original trial was held.

34. Application for notes of appeals—Applications for bail shall ordinarily be made to the appellate Court at the time of admission.

35. Application for bail in evidence—Upon admission of an appeal, the appellant shall apply with due diligence for a certified copy of the notes of evidence and of the requisite documentary exhibits, and shall pay the usual charges, unless the Registrar in his discretion thinks fit to dispense with such payment in whole or in part. Certified copies of the notes of evidence or of the documentary exhibits shall not be supplied before admission of an appeal except with the leave of the trial Judge.

36. Paper-books to be prepared by the appellant—Appeal Paper-books shall be prepared by the appellant and shall not be printed except where such printing is directed by the Appellate Court.

37. Contents of paper-books—The Appeal Paper-book shall contain the following papers arranged in two parts in the same volume where practicable in the following orders:

PART I

- (1) Complaint
- (2) Charge or charges against the accused in the trial Court.
- (3) Notes of evidence including statement of the accused.
- (4) Judgment including sentence or order.
- (5) Certificate of the Judge who tried the case, if any.
- (6) Order of the Appellate Court granting leave, if any.
- (7) Memorandum of appeal.
- (8) Order admitting the appeal.
- (9) Such other papers as may be deemed necessary by the Registrar.

PART II Exhibits

38. Filing of Paper-books—Within six weeks of the admission of an appeal, where the time has been extended by the Court, the appellant shall file or more copies of the Appeal Paper-book as may be required by the Registrar in his

office, and shall also furnish two copies to the respondent.

39. Hearing of appeals— After the Appeal Paper-books have been filed, the appeal shall be set down for hearing and final disposal before a Division bench constituted by the Chief Justice and composed of not less than 2 Judges, being Judge other than Judge by whom the original trial was held.

40. Procedure on default of filing of Paper-books— Where the appellant, after admission of an appeal, does not diligently prosecute the appeal and does not file copies of the Appeal Paper-book as required, the appeal shall be placed before the Appellate Court for orders. The Appellate Court may dismiss the appeal or pass such order as it may think fit.

41. Code of Civil Procedure and Code of Criminal Procedure to apply— The provisions of the Code of Civil Procedure and of the Code of Criminal Procedure unless inconsistent with the rules in this Appendix, shall apply respectively to civil and criminal proceedings under this Appendix.

42. Remuneration of the official liquidator or the liquidator appointed by the Court— Unless otherwise ordered by the Judge the official liquidator or the liquidator appointed by the Court, shall charge fees according to the following scale:

(a) In the High Court, upon the total assets except as provided in CI (b) including produce of calls on contributories, realised or brought to credit and not being money received and spent on carrying on the business:

	Rs	percent
On the first	10,000 or fraction thereof	4
On the next	15,000 or fraction thereof	2½
On the next	25,000 or fraction thereof	2
On the next	50,000 or fraction thereof	1 ¾
On any sum above	1,00,000	¾
(b) On rents recovered		4

(c) In the courts subordinate to the High Court, upon the total assets, except as provided in CI.(d) including produce of calls on contributories, realised or brought to credit and not being money received and spent on carrying on the business:

	Rs.	percent
On the first	10,000 or fraction thereof	4
On the next	15,000 do	2
On the next	25,000 or fraction thereof	1½
On the next	50,000 do	1 ¼
On any sums above	1,00,000	½
(d) On rents recovered		3

(e) When the official liquidator or the liquidator appointed by the Court collects or realises property for debenture holders or other secured creditors, the same rate as under proviso (a) to Sub-R.(1) above to be paid out of the proceeds of such calls or property.

(f) When the official liquidator or the liquidator appointed by the court acts as trustee under a scheme of arrangement, such remuneration not exceeding the rate under proviso (a) to sub-R.(1) above, as the court shall allow.

(g) When the official liquidator or the liquidator appointed by the court performs any special duties not provided for above, such amount as the court on the application of the official liquidator or the liquidator appointed by the court may consider reasonable will be allowed as remuneration.

This will apply mutatis mutandis to the proceedings under the Banking Companies Act.

(h) The official liquidator or the liquidator appointed by the court shall, unless otherwise ordered by the Judge, charge the companies under his management a sum which in his discretion he considered sufficient to cover the expenses of his office and this he shall do with due regard to the value of the assets in each matter and the labour and trouble involved and its management.

43. Inspection of record by the Reserve Bank of India— (a) The Reserve Bank of India, may on application to the Registrar inspect the records relating to any proceedings. Such inspection shall be made before the Deputy Registrar of the Court.

(b) No Court-fee shall be charged on an application under this rule.

44. No money shall be paid out of banking account except under cheques or orders signed by the official liquidator or the liquidator appointed by the court and countersigned by the Registrar; provided that the Judge may dispense with such counter signature.

In the case of a court liquidator no such counter signature by the Registrar shall be necessary.

45. Pending proceedings— The rules in this Appendix shall not in any way effect any proceedings commenced before this rules came into force and to which these rules would have applied if the rules had then been in force. Such proceedings shall be dealt with in such manner as the Judge dealing with the winding up of the company may direct.

PUBLIC EXAMINATION UNDER SECTION 45-G OF THE ACT¹

46. The report of the liquidator pursuant to section 45-G of the Act shall state the names of the persons intended to be examined and the opinion required by the section and shall state in a narrative form the facts and matters which the

¹**Note 1:** Rules 46 to 54 were inserted under Banking Companies Amendment Act, 1953, published under Notification No.HC XI/3/53/3991G, dated 17.12.1954, vide Correction Slip No.1, under the head "Public Examination" under section 45-G of the Act.

liquidator desires to bring to the notice of the court upon which such opinion is based.

47. The liquidator shall submit the report to the Judge and shall obtain an appointment from the judge for consideration thereof and shall give not less than 14 days' notice to every person mentioned in the report who is intended to be examined. The notice shall be in Form No.2 and shall be accompanied by a copy of the report and shall be sent by registered post.

48. Every person served with the notice under R.47 may show cause by an affidavit which shall be filed not less than three days before the date fixed for the consideration of the report and notice of the filing thereof shall be given to the liquidator forthwith.

49. Where the Judge makes an order under section 45-G directing any person to be publicly examined and attend thereat he shall fix a date for such examination.

50. The substance of the order made under the preceding rule shall be advertised seven clear days before the date appointed for examination in such newspaper or newspapers as the Judge may direct and by passing on the notice board of the Court House. The advertisement shall be in Form No.3.

51. The Judge may from time to time adjourn the public examination.

52. The Judge may if he thinks fit either by the order for the examination or by any subsequent order give directions as to the specific matters on which any person to be examined.

53. The Judge may order that the evidence be taken down in shorthand and may nominate a person to be taken down such evidence.

54. The deposition of the person examined shall after being read over and signed by him be filed and kept with the records. The liquidator, the person examined and any creditor or contributory of the Banking Company shall be entitled to obtain a copy from the court on payment of the usual fees.

PUBLIC EXAMINATION UNDER SECTION 45-L²

55. The provisions of Rr.46 to 54 shall, as may be, apply to public examination under Section 45-L of the Act. The functions of the liquidator under the said rules shall be exercised by such person as the Judge may direct.

The following new rules shall be inserted after R. 55 of the Rules under the Banking Companies Amendment Act, 1953:

56. **Court fees**— (1) A Court fee of Rs. 100 shall be levied in all original petitions under R.2 of this Chapter.

(2) The Court fee payable on counter-claim, or set off, shall be as follows;

(a) where the amount does not exceed Rs.2,500

Rs.

5

Note 2: Rule 55 to 56 were inserted vide Correction Slip No.1 Rules under Banking Companies Act, 1953, published under Notification No.HC.XI/3/53/3991-G, dated 17.12.1954.

(b) where the amount exceeds Rs.2,500 but does
exceed Rs.10,000

10

(c) where the amount exceeds Rs. 10,000

20

(3) On every appeal from an order, decree, or decision passed under the provisions of Section 45-B of the Act, a Court fee of Rs. 100 shall be paid.

FORM NO. 1

[Rule 13 (2)]

IN THE HIGH COURT OF JUDICATURE IN ASSAM

Certificate as to Settlement of List of debtors

(Title)

The debts which have been allowed are set forth in the Schedule A hereto and (with the interest thereon and costs mentioned in the Schedule A) are due to the creditors by the debtors therein named recoverable in the way stated in column 5 of the Schedule.

In case of secured debts, particulars of the securities with estimated value will be entered in Schedule B.

SCHEDULE A

Serial No	Name and address of creditors	Name & address of debtors	Amount due with interest	Mode of payment
1	2	3	4	5

SCHEDULE B

Description of the securities-

dated the day of 19..

Signature of the Judge

FORM NO. 2

[Rule 47]

Notice to the persons to be examined under Section 45-G of the Act
(Title)

To

.....

Whereas the official liquidator of the above named Banking Company has submitted a report under Section 45-G of the Banking Companies Act 1949, for consideration of this Court;³

And whereas this Court has fixed ... the ... day of 19.. .., at 11 a.m. in the forenoon for consideration of the said report;

Now this is to give notice to you to show cause, if any, why you should not be publicly examined under the said Section;

Also take notice that such cause is to be shown by filing an affidavit in this Court not less than three days before the said date fixed for consideration of the said report and that notice of filing of such affidavit is to be forthwith given to the said official liquidator at the address stated below.

Dated this.. ... day of 19.....

Name and Address of the official liquidator.....

Registrar

FORM NO.3

[Rule 50]

Notice of day appointed for examination under Section 45-G of the Act
(Title)

Notice is hereby given that on, the day of ... 19 .., at 11 a.m. in the forenoon at the Court House at Gauhati has been fixed as the time and place for examination of the persons named below under Section 45-G of the Banking Companies Act 1949. Any creditor or contributory of above-named Banking Company may also take part in the said examination either personally or by any person entitled to appear before this Court.

Dated this.. ... day of 19.....

Name and designation of the person to be examined.

Registrar

Note 3: In this Form the words. "Banking Companies (Amendment) Act, 1953" were substituted by the words, "Banking Companies Act, 1949", by Correction Slip No. 2.

APPENDIX-C

RULES UNDER THE BANKERS' BOOKS EVIDENCE ACT, 1891 (XVIII OF 1891)

1. An application for an order under the Banker's Books Evidence Act shall be made ex-parte upon petition and the Court or a Judge may direct that notice of application shall be served on the bank or banks named in the application. The petition shall set out the particulars of the entries of which it is desired to obtain copies (or if this is impossible, the year or years in which such entries will appear) and the materiality of such entries.

2. All applications shall be made in sufficient time to allow three clear days' notice required by Section 6 (2) of the said Act, and all applications made in sufficient time shall state the reasons therefor.

3. The party who has obtained an order of the Court shall serve it upon the bank or banks affected, and at the same time shall pay to the bank or banks the searching fee of which the amount shall be stated in the order.

4. Upon service of the order the bank or banks shall forthwith make search of the documents and shall thereafter inform the party who has obtained the order the amount to be paid to the bank or banks for copies of the entries to be made in terms of the order.

5. Thereupon the party concerned shall pay to the bank or banks, as the case may be, the amount so stated and the fee for the certificate. The bank or banks shall, upon receipt of the amount, prepare and deliver to the party the copies of the relevant entries together with the certificate under Section 6 of the Act.

6. The bank or the banks shall be entitled to charge for the supply of the certified copies of the entries from its books on the following scales:

Searching fee	: for each year or part of a year in respect of which search is made—	...Rs.5
Copies :	for each bank folio* or part thereof	...Rs.5
Certificate	:for the certificate under Section 6 of the Act—	...Rs.5

Provided that the Court may in particular cases make such orders as to costs as may seem appropriate to it or him under Section 7 of the Act.

7. Copying fees for all documents other than the entries in the Accounts Books shall be paid for at the rate prescribed by the Rules of this Court.

*A bank folio for this purpose is a page of the bank's books of not less than 40 and not more than 50 lines.

APPENDIX-D^{*}

RULES UNDER THE COPYRIGHT ACT, 1957 (ACT XIV OF 1957)

1. Definitions.-In these rules unless there is anything repugnant in the subject or context-

- (i) "Act" means the Copyright Act, 1957 (Act XIV of 1957).
- (ii) "Registrar of Copyright" includes the "Deputy Registrar of Copyrights" to whom any particular function of the registrar of Copyrights may be assigned in pursuance of Section 10 (2) of the Act;
- (iii) "Board" means the "Copyright Board" constituted under Section 11 (1) of the Act;
- (iv) "Court" means the High Court of Judicature in Assam;
- (v) "Registrar" and "Deputy Registrar" mean, respectively the Registrar and Deputy Registrar of the Assam High Court;
- (vi) "Section" means a section of the Act.

2. All appeals under Section 72 (2) shall be registered and styled as Miscellaneous appeal.

3. (i) Every appeal under section 72 (2) shall be made in the form of a memorandum signed by the appellant or his advocates and shall be accompanied by a certified copy of the decision or order appealed from and shall set forth the grounds of objection concisely and under distinct heads. The memorandum and its annexures shall be filed in duplicate with a complete index of the papers filed.

(ii) Every memorandum of appeal shall be presented to the stamp reporter of the court, who shall certify thereon whether the appeal is in proper form, within time and properly stamped, or that it is irregular and shall return the memorandum of appeal with such certificate. Subsequent to the certificate of the stamp reporter, formal presentation must be made to the registrar. The date of presentation to the Registrar shall be deemed to be the date of filing of such appeal for the purposes of limitation.

4. Every appeal shall, soon after it is registered by posted for orders before a Division Bench as to issue of notice to the respondents. This court may order direct notice to issue and pass such interim order as it may deem necessary or reject the appeal.

5. (a) The service of notice to the respondent or respondents shall ordinarily be effected through registered post. An acknowledgment purporting to be signed by the respondent or the agent or an endorsement by a postal employee that the respondent or the agent refused to take delivery may be deemed by the court to

^{*}*Note:-* Appendix D.- This appendix was inserted vide Correction Slip No. 18, Notification No.HC-111/17/58/1717-RC, dated the 9.4.1960 to come into effect from the date of its publication in the Assam Gazette.

be prima facie proof of service. The appellant shall file as many typed copies of the memorandum of the appeal as there may be parties to be served and also the requisite number of postal envelopes bearing adequate postal stamps to enable service to be effected on the respondent or respondents by registered post with acknowledgment due.

(b) The notice of appeal shall be served on all respondents effected and on such other persons as the court may direct:

Provided that on the hearing of any such appeal, any person who desires to be heard in opposition and appears to the court to be a proper person to be heard, shall be heard notwithstanding that he had not been served with the notice of the appeal and shall be liable to costs in the discretion of the court if so desired.

(c) Notice meant for the board shall be served on the Registrar of copyrights in the manner provided in Cl. (A) of this rule. The Board shall have a right to appear in the appeal through the Registrar of Copyrights.

6. If the appellant does not remove the defect, if any, in the memorandum of appeal or, if he does not file the requisites within a time to be fixed by the Registrar the appeal shall be laid before the court for such orders as may be deemed fit.

7. When the appeal under Section 72 (2) has been admitted, the Registrar shall send for the record and on receipt thereof shall take steps for the preparation of Paper-books, so far as may be, in accordance with the rules of the court regarding preparation of Paper-books in appeals from original orders.

8. Appeal under Section 72(2) shall be heard by a Bench of not less than two Judges.

9. When an appeal under Section 72 (2) has been preferred the court may, on such terms and conditions as it thinks fit, stay further proceedings in any matter relating to the copyright concerned before the Board till the disposal of the appeal.

10. Save as provided in the Act and these rules, the provisions of the Code of Civil Procedure and the rules of the court shall apply mutatis mutandis to such appeals.

The court may in such appeals impose such terms as to costs as it thinks fit and also at its discretion may award a special hearing fee at the time of the disposal of the appeal by way of cost over and above other costs.

11. A certified copy of decision of order of the court shall be sent to the registrar of Copyrights for information and compliance of the directions given therein.

APPENDIX-I

FORMS (CIVIL)

[Note: Only those Forms which are specifically mentioned in the rule have been incorporated in this Appendix]

FORM NO.1

(Civil)

[Rule 31, Chapter V]

Notice of Lower Court under Order 41, R.13, Civil Procedure Code

THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM: NAGALAND: MEGHALAYA:

MANIPUR: TRIPURA: MIZORAM AND ARUNACHAL PRADESH)

Civil Appellate Jurisdiction

Appeal From... .. No.. .. of 19.....

Filed on 19..... No..... of 19.....

of the Court of the

... Appellant

Versus

... Respondent

Whereas the above-mentioned appeal has been preferred to this court against the of the court of the in the above-mentioned and whereas the necessary process fee has been paid by the appellant, and whereas the day of 19.... has been fixed for the hearing of the said appeal in this court;

It is ordered that notice of the said appeal do issue out of, and under the seal of this court directed to the above named respondent requiring to appear therein;

And it is further ordered that the said notice be forwarded to the for service to the said respondent and the said do submit to this court his return of service thereof without delay;

And it is further ordered that the said do, within one week from the receipt by him of this order, transmit to this court the record connected with the case.

Dated this day of in the year one thousand nine hundred and.....

Deputy Registrar

FORM NO. 1-B*
(Civil)
[Rule 31 (ii) (a), Chapter V]

To
The Speaker of the House of People,
Parliament House, New Delhi

The Chairman of the Council of States,
Parliament House, New Delhi

The Speaker, Legislative Assembly,
Assam, Shillong

Dated:

Subject — Description of the case.

Sir,

In the above proceeding, the appellant/respondent proposes to rely upon the documents specified in the Annexure which are in the custody of the House of the People/Council of Sates/Legislative Assembly. I have to request you to move the House, if you have no objection, to grant leave for the production of documents in the High Court and, if such leave is granted to arrange to send the documents/certified copies of the documents so as to reach the court on or before.....by registered post (A.D.) or through an officer in the Secretariat of the House.

Registrar, Assam High Court

ANNEXURE
Document to be specified here

FORM NO. 1-C*

(Civil)

[Rule 31 (ii) (b), Chapter V]

To

The Speaker of the House of People,
Parliament House, New Delhi

The Chairman of the Council of States,
Parliament House, New Delhi

The Speaker, Legislative Assembly,
Assam, Shillong

Dated... ..

Subject-Description of the case.

Sir,

In the above proceeding, the appellant/respondent proposes to examine an officer in the Secretariat of the House of the People, Council of states/Legislative Assembly as a witness in regard to matters specified in the Annexure. I have to request you to move the House, if you have no objection to grant leave for examination of the said officer in the High Court, and, if such leave is granted, to direct, the officer to appear in Court at 10 a.m. on

Yours faithfully,

Registrar, Assam High Court

ANNEXURE

(Matters of evidence to be specified here)

FORM No. 2

(Civil)

[Rule 35 (1), Chapter V]

Notice to respondent of the day fixed for the appearance in appeal
[Order 41, Rule 14, Code of Civil Procedure]

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM:NAGALAND:MEGHALAYA: MANIPUR:
TRIPURA:MIZORAM AND ARUNACHAL PRADESH)

Appeal from No. of 19... .. valued at Rs.....

Appeal from the of the court of the of dated the 19

.....Appellant

Versus

.....Respondent

To

Take notice that an appeal from the of the of in this case has been presented by advocate for the above mentioned appellant, and registered in this Court; and that the day of 19... (corresponding with the of 13 ... B.S.) has been fixed for the entering of appearance. The appeal will be heard as soon thereafter as the business of the Court may permit, but no notice of such further date shall be given except the inclusion of the appeal in the daily cause list.

If no appearance is made on your behalf, by yourself, your advocate, or by some one by law authorised to act for you in this appeal on the date of appearance, above mentioned or before such later date on which the appeal may be heard, the appeal will be heard and decided ex-parte in your absence.

Signed and sealed by order of the Court this ... 19 .

Deputy Registrar

FORM NO.2A*

NOTICE FOR SERVICE ON RESPONDENT NO(s):

CIVIL RULE/MISC CASE/REVIEW APPLICATION/WRIT APPEAL NO..... OF 199.....

THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIIPURA,
MIZORAM AND ARUNACHAL PRADESH)

(Civil Jurisdiction)

In The Matter of:

AND

In The Matter of:

.....Petitioner/Appellant

-Versus-

*Note: Form No. 2A was inserted vide notification No. HC.XI-06/96(Pt)/1576 dated 2.5.1998

.....Respondent(s)/Opp. Party

To,

TAKE NOTICE that a writ petition/Misc. petition/Review Application/ Writ Appeal, a copy whereof alongwith a copy of the order passed by this Court thereon are annexed hereto, has been filed by the above named petitioner/ appellant and that you are hereby called upon to appear and show cause as directed in the aforesaid order within 14 days of service of this notice. The matter will be heard soon thereafter as the business of the Court may permit, but no notice of such further date shall be given.

If no appearance is made by yourself or by your advocate or by someone by law authorised to act on your behalf on the date of appearance/hearing, the matter will be heard and decided exparte in your absence.

Signed and sealed by order of the Court on this the day of
... 199 .

This Rule is made returnable by:

Asstt. Registrar
Gauhati High Court: Guwahati

FORM NO. 3

(Civil)

[Rule 71, Chapter V]

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM:NAGALAND:MEGHALAYA:

MANIPUR:TRIPURA:MIZORAM AND ARUNACHAL PRADESH)

Civil Appellate and Revisional Jurisdiction

Civil.....No.....of 19.....

.....Appellants/petitioners

-Versus-

.....Respondents/Opposite Party

We direct thatformal order follows.

(Sd.).....

(Sd.)

Dated the19.....

Judges

Memo No.

Copy forwarded to of for information and necessary action.

By order of the High Court

Deputy Registrar

Assistant Registrar

High Court:

Civil Appellate Jurisdiction

the.....19.....

FORM NO. 3A*

(Civil)

(Rule 2, Chapter V-A)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM: NAGALAND: MEGHALAYA: MANIPUR:
TRIPURA: MIZORAM AND ARUNACHAL PRADESH)

WRIT APPEAL NO.....OF.....

.....Appellants

Rank in Writ Petition

Versus

.....Respondents

Rank in Writ Petition

In Civil Rule No..... of

.....Petitioners

in Writ Petition

Versus

.....Respondent

in Writ Petition

Writ Appeal presented against

judgment and order dated.....

of learned Single Judge in Civil

Rule No.....of.....

*Note: Form No. 3A was inserted vide Amendment Rules, 1992, Notification No. HC.XI-10/79/19,349/RC dated 19.8.1992

Para 1: Facts of the case.

Para 2: Contentions of the petitioner before the Single Judge.

Para 3: Contentions of respondent (opposite party) before Single Judge.

Para 4: Points which arose for decision before Single Judge.

Para 5: Conclusions and decisions of Single Judge.

Para 6: Grounds on which the conclusions and decisions of Single Judge are challenged.

Para 7: Relief sought in appeal. State if conclusions and decisions of Single Judge are to be set aside wholly or in part or in what manner and to what extent.

I, Advocate for the appellant do hereby certify that the grounds set forth above are good grounds of appeal and I undertake to rely on the same at the time of hearing.

(Advocate)

List of papers:**

1.	List of Dates	-	1
2.	Chronology of events with Synopsis	-	1
3.	Memorandum of Appeal	-	1
4.	Certified copy of the Judgment	-	1
5.	Authenticated copy of the Civil Rule/ Writ Petition with relevant annexures	-	1
6.	Copy of the affidavit-in-opposition	-	1
7.	Counter - Affidavits	-	1
8.	Other relevant papers filed by the party in the relevant Civil Rule / Writ Petition	-	1
9.	Vakalatnama	-	1
10.	Extra copy of Memorandum of Appeal and the documents mentioned in Sl.No.3 to 8	-	1

Note — "All papers / Documents are to be neatly typed on azure laid paper".

** Substituted vide Notification No. HC.XI-02/2006/281/RC dated 28.02.2006. Earlier the .List of papers was as follows: 1. Memorandum of Appeal-1, 2. Certified copy of the judgment -1, 3. Vakalatnama-1, 4.Extra copy of Memorandum of Appeal and judgment-2

FORM NO . 4

(Civil)

[Rule 8, Chapter VIII]

NOTICE FORM

In Letters Patent Appeals

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM:NAGALAND:MEGHALAYA:
MANIPUR:TRIPURA:MIZORAM AND ARUNACHAL PRADESH)*Civil Appellate Jurisdiction*

NOTICE

Appeal No of 19 under Cl. 15 of the Letters Patent.

in

Appeal from Appellate Decree No of 19.....

.....Appellant

Versus

.....Respondent

To

Take notice that the above-mentioned appeal under Cl.15 of the Letters Patent has been filed in this Court on behalf of the abovenamed appellant by his advocate.....from the Judgment of the Hon'ble Mr. Justicesitting singly, passed in the above mentioned appeal from Appellate Decree and dated the.....of.....19.....that it has been set down for hearing on the.....day of.....19and that it will be heard on that date or as soon thereafter as the business of the Court will permit.

Dated this the.....day of.....19.....

Deputy Registrar

FORM NO. 5

(Civil)

[Rule 8, Chapter VIII]

NOTICE FORM

In Letters Patent Appeals

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM: NAGALAND: MEGHALAYA:
MANIPUR: TRIPURA: MIZORAM AND ARUNACHAL PRADESH)*Civil Appellate Jurisdiction*

NOTICE

Appeal No. of 19..... under CI.15 of the Letters Patent arising
from difference of opinion in Appeal from Decree No..... of
19.....

.....Appellant

Versus

.....Respondent

To

.....

Take notice that the above-mentioned appeal under CI.15 of the letters patent
arising from difference of opinion between the Hon'ble Mr. Justice.....
and the Hon'ble Mr. Justice has been filed in this Court on behalf
of the abovenamed appellant by his advocate on the day of
..19 that it has been set down for hearing on the day of 19..... and that
it will be heard on that date or as soon thereafter as the business of the court will
permit.

Dated this... .. day of ... 19.....

Deputy Registrar

FORM NO 6

(Civil)

[Rule 5, Chapter IX]

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*Detailed statement of costs incurred in the preparation of the Paper-book*
IN

Appeal from Original Decree/Order No of 19

Valued at Rs.

.....Appellant

Versus

.....Respondent

Items of cost incurred by the Appellant/Respondent	Costs claimed	Costs passed by the taxing Officer
	Rs. a.p.	Rs. a.p.
1. Estimating words at 10,000 per rupee		
2. Estimating maps/photos at 12½ per cent of the cost of tracing/of producing the negative		
3. Postal cost for service of estimate and final account by registered post		
4. Copying words at 1,200 words per rupee		
5. Examining words of manuscript at 1200 words per rupee		
6. Translating words at 150 vernacular words per Re.1-4-0, three figures being counted as one word.		
7. Examining translations words at 300 vernacular words per Re.1-4-0, three figures counted as one word		

8. Editing pages at ten annas per page if the paper book is printed, and at five annas per page if a typed paper-book is prepared
9. Editing maps at ten annas for each half foolscap sheet atsheets
10. Taxing ...pages at one anna per page
11. Printing 19 or preparing 12 typewritten copies of the paper book (actual charge) pages at Rs.2 per page
12. Tracing maps at one rupee for each foolscap sheetssheets
13. Lithographing maps at eight annas for each foolscap sheet.....sheets
14. Cost of photos (actual charge).. ...

Total.....

Grand Total

Rupees.....

Court Editor,

Dated the..... 19....

Deputy Registrar

NOTICE

To

Mr.

Advocate for the Appellant/Respondent

Total amount deposited by appellant/respondent ... Rs. a.p.

Further amount to be deposited by your client
in the above case within two weeks after service
of this notice ...

Surplus amount available for refund to your client in
the above case and will be paid upon application duly
made to the Registrar ...

Assam High Court, Gauhati
The 19.....

Ledger-Keeper

Accountant

FORM NO . 7

(Civil)

[Rule 13, Chapter IX]

THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM:NAGALAND:MEGHALAYA:
MANIPUR:TRIPURA:MIZORAM AND ARUNACHAL PRADESH)

Appellant's list

PART I

Paper other than exhibits and those included in the first paragraph of R.11/58, Chapter IX, of the Rules of the High Court, upon which the decision of the appeal depends and which the appellant desires to have included in part I of the Paper-book at his expense.

Appeal from Original Decree/Order No... of 19.....

.....Appellant

Versus

.....Respondent

Under R. 16/58, Chapter IX of the Rules, the list should be filed by the appellant within three weeks/one week after service of the notice required by R.12, Chapter IX.

Serial No.	Number on the record	Description and date of paper	Whether the whole or portion and, in case of a portion, what portion to be inserted in the paper book	Remarks

PART II

*(This list of exhibits to be inserted in part II of the paper book
at the expense of the appellant)*

The list of exhibits should follow the order of the exhibit mark. A correct and full description of such documents must be given.

Sl.No.	Exhibit mark on the record	Description and date of document	Whether the whole or portion and, in case of a portion, what portion to be in- serted in the paper book	Remarks
--------	-------------------------------	-------------------------------------	---	---------

I, advocate for the appellant, do hereby certify that I have examined this list with reference to the provisions of R.25, Chapter IX of the rules of the High Court, Appellate side, and declare that in my judgment it is necessary to include in the paper book of this appeal every document or portion of a document included in this list in order to arrive at a proper decision of the appeal.

The 19.....

Signature of advocate
for the Appellant

Particulars required under R.20-A, Chapter IX of these Rules

Name

Address (with post office) ...

FORM NO. 8

(Civil)

[Rule 20, Chapter IX]

THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*Respondent's list*

PART I

Paper other than those inserted in the Appellant's list, which are relevant to the subject matter of the appeal, and to which the respondent desires that reference shall be made by the Court at the hearing of the appeal.

Appeal from Original Decree/Order No of 19.....

.....Appellant

Versus

.....Respondent

Under R. 20/58, Chapter IX of the Rules of the High Court, this list should be filed by the respondent within three weeks/one week after service of the notice required by R. 18. Chapter IX, and should contain the papers to be included, at the cost of such respondent, in the paper-book of the above appeal.

Sl.No.	Number on the record	Description & date of paper	Whether the whole or portion and in case of a portion, what portion to be inserted in the paper-book	Remarks
<hr/>				
<hr/>				

PART II

(The list of exhibits to be inserted in Part II of the paper-book
at the expense of the Respondent)

(The list of exhibits should follow the order of the exhibit mark. A correct
and full description of such documents must be given.

Sl.No.	Exhibit mark on the record	Description and date of docu- ment	Whether the whole or portion and, in case of a por- tion, what portion to be inserted in the paper-book	Remarks
--------	-------------------------------	--	--	---------

I, Advocate for the respondent do hereby certify that I
have examined this list with reference to the provisions of R.25, Chapter IX of
the Rules of the High Court, and declare that in my judgment it is necessary to
include in the paper-book of this appeal every document or portion of a document
included in this list in order to arrive at a proper decision of the appeal.

Dated 19....

Signature of Advocate for the
Respondent

Particulars required under R.20-A, Chapter IX of these Rules.

Name.

Address (with post office)...

FORM NO. 9

(Civil)

[Rule 21, Chapter IX]

APPEAL FROM ORIGINAL DECREE/ORDER NO. .. OF 19.....

.....Appellant

Versus

.....Respondent

Appeal valued at Rs.

Estimate of cost for translating and printing, etc. the papers to be included in Parts I and II of the Paper book of the above appeal, i.e., the papers included in paragraph I of R. 11/58, Chapter IX of the Rules of the High Court, and the papers as per Lists filed on behalf of the Appellant.

Rs. a.p. Rs. a.p.

For estimating ... words at 10,000 words per
rupee

For estimating ... maps/photos at 12½ percent
of the cost of tracing/producing
the negative

For translating ... words at 150 vernacular words
per rupee and annas four (three
figures being counted as one
word)

For examining .. words at 300 vernacular words

Translations : per rupee and annas four (three
figures being counted as one word)

For service of estimate and final account by Registered post.

Total ..

Already deposited ..

Balance ..

For copying... words at 1,200 words per rupee

For examining.. words of manuscript at 1,200
words per rupee

For editing... pages of the Paper-book at 10
annas a page if it is printed and

at 5 annas a page if it is typed

For Lithographing..maps at R. 2.25* per foolscap

For tracing maps ..sheets at Re.1-4-0 per foolscap

For editing maps ..sheets at 10 annas for each
half foolscap sheet.

For printing ... 19 copies of the Paper-book
pages at the rate of Rs.2-0-0 a page

For cost of photos..(actual charge)

For taxing pages of the paper-book at one
anna a page

Total	...
Grand Total	...
Already deposited	...
Balance	...

Notes.-

- (1) The above rates are liable to alteration.
- (2) The charge for editing includes the charge for indexing if the Paper-book is printed, and that for stationery if the paper book is type written.
- (3) If the document to be translated is in any language other than the vernaculars of Bengal and Assam, a special rate may be fixed by the Registrar.
- (4) Each item of cost in the preparation of the paper-book at the rates specified above is calculated to the nearest anna (fraction below half an anna being omitted and half an anna or over being reckoned as one anna).

Under R.29, Chapter IX of the Rules of the High Court, the amount due for estimating, translating and examining translation [after deducting the amount of the initial deposit made under R. 34 (1), Chapter V] shall be deposited with the Accountant of the Court within four weeks of the service of the estimate upon the advocate for such appellant, and the whole of the remainder within eight weeks of the service of the estimate upon the said advocate, such deposit being made in manner prescribed in the Rr. 1 to 4 of Chapter XVII of the said Rules.

High Court:

The of ...

To

Date of service

Assistant Registrar

Advocate for the Appellant

Signature of Advocate for the Appellant

*Note : In Form No. 9 the words "Rs. 2.25" was substituted in place of "Rs. 1.25" vide Correction Slip No. 69 Notification No. HC.XI-4/65-68/15876/RC, dated 2.9.1975.

FORM NO. 10

(Civil)

[Rule 21, Chapter IX]

APPEAL FROM ORIGINAL DECREE/ORDER NO. OF 19.....

Valued at Rs.

..... Appellant

-Vs-

..... Respondent.

Estimate of cost for translating and printing etc. the papers to be included in Parts I and II of the Paper-book as per List filed on behalf of the respondent.

Rs. a. p. Rs. a. p.

For estimating ... words at 10,000 words per rupee

For estimating ... maps/photos at 12½ per cent of
the cost of trading/producing the
negative

For translating ... words at 150 vernacular words
per rupee and annas four (three
figures being counted as one word)

For estimating ... words at 300 vernacular words
translation per rupee and annas four (three)
figures being counted as one word)

For service of estimate and final account by registered
post

Total

For copying ... words at 1,200 words per rupee

For examining ... words of manuscript at 12,00
words per rupee

For editing ... pages of the Paper-book at 10
annas a page if it is printed and
at 5 annas a page if it is typed

For lithographing maps at Rs.1-4-0 per foolscap

For tracing maps..sheets at Rs.1-4-0 per foolscap

For editing maps..sheets at 10 annas for each half
foolscap sheet

For printing nineteen copies of the Paper-book

... pages at the rate of Rs.2.00 a
page

For cost of photos (actual charge)

or taxing ... pages of the Paper-book at one
anna a page _____

Grand Total _____

Notes— (1) The above rates are liable to alteration.

(2) The charge for editing includes the charge for indexing if the Paper-book is printed, and that for stationary if the Paper-book is type-written.

(3) If the document to be translated is in any language other than the vernaculars of Bengal and Assam, a special rate may be fixed by the Registrar.

(4) Each item of cost in the preparation of the Paper-book at the rates specified above is calculated to the nearest anna (fraction below half an anna being omitted and half an anna or over being reckoned as one anna).

Under R. 22, Chapter IX of the Rules of the High Court, the amount due for estimating, translating and examining translations (after deducting the amount of the initial deposit made under Rl. 34(I), Chapter V] shall be deposited with the Accountant of the Court, within four weeks of the service of the estimate, and the whole of the remainder within eight weeks of the service of the estimate upon the advocate, such deposit being made in the manner prescribed in Rr. 1 to 4. Chapter XVII of the said Rules (reproduced below):

High Court:

The.....19.....

To.....

Assistant Registrar

Advocate for the Respondent

Signature of Advocate for the Respondent

FORM NO. 11

(Civil)

[Rule 23, Chapter V)

The following First/Second Appeals from Orders/Decrees/Cross Objection have been registered on

Serial No.	Appeal No. and Year	Name of Appellant/ Cross objector	Name of Appellant's/ Cross objector's Advocate
1	2	3	4

High Court, Gauhati

The 19

Superintendent of F.A./S.A. Section

FORM NO. 12

(Civil)

(Rules 57, 71, Chapter IX)

THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)

General Warning List

The following appeals are ready for hearing and will be transferred to the Weekly Cause List on the expiration of fourteen/seven days from the date of the list.

Sl. No.	No. and year of appeal	Advocate for appellant	Advocate for respondent	Remarks
1	2	3	4	5

Gurwahati

The

Superintendent.

FORM No.13

(Civil)

(Rule 19, Chapter XIII)

Form of application for copy

Space for searching fee	Two annas court-fee stamp on application	Space for expedition fee
----------------------------	---	-----------------------------

IN THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM: NAGALAND: MEGHALAYA:
MANIPUR: TRIPURA: MIZORAM AND ARUNACHAL PRADESH)
Appellate Jurisdiction

Serial No.

Application for Urgent copy
Ordinary

*..... No. of 19.....

..... Appellant/Petitioner

Versus

..... Respondent/Opposite party

Description of document of which
a copy is wanted, with date when
necessary

Application is made by the
undersigned for certified/uncertified
copy marginally noted document
from the High Court/Lower Court
file in the above case which was
disposed of/is still pending on
The following stamps and
stampsheet are filed.

Date 19.....

Signature of applicant

Office ReportThe copy will
cover sheetsSearching fee...
required is notEstimate of cost(excluding stamps and
stamp-sheet filed)
is Rs.a.p.Stamp-sheets at 4
annasEstimated stamps, etc.

modified on

Estimated stamps etc.,
supplied onApplicant's signature ...
Copy will be ready on ...

	Court-fee stamps at 8 annas ...	Record received on
	Stamp for authentication.	Copy actually ready on ...
Superintendent	Extra stamp for urgency	Copy delivered on ...
	Searching fee in stamps	

Total

Superintendent,
Copying section

Serial No. Received copy on 19..... with unused stamps
and stamp-sheets.

Received an application for copy valued at Rs..... annas
bearing the above number.

Estimated stamps and stamp-sheets valued
at Rs. annas ... supplied on 19... ..

To attend for copy on 19.....

Dated 19.....

Superintendent

Applicant

Note — The application will not be considered as complete until stamps and costs have been supplied in full, which must be done within seven days of the date of the estimate. All enquiries and complaints shall be accompanied by this counterfoil. It will have to be given up when the copy is delivered.

P.B.13

(Civil)

(Rule 3, Chapter IX)

THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*Appeal from Original Decree/Orders*

No..... of 19.....

From a decision of ...

...

...

....

..

esq.

...

...

Judge

Dated the ... 19.....

.....Appellant

Versus

.....Respondent

For Appellant — Mr.

For Respondent — Mr.

Date of institution of suit

The ...

Date of Lower Court's judgment

The ...

Date on which the appeal was presented ...

The ...

Date on which the appeal was decided....

The ...

Date on which the decree was signed....

The ...

Translated by

Translations examined ...

Edited by

Proofs examined by ...

Party

FORM NO. 14

(Civil)

[Rules 25 and 28 Chapter XIII]

*Registrar of information to applicants as to stamps and folios necessary
for copies applied for.*

.....
To be supplied within 7 days
.....

Rs. a.p.

Date of entry in this Register

Serial number of application

Case number

Name of applicant

Number of impressed stampsheets at 4 annas

Number of adhesive stamps at 4 annas

Fee for authentication

Searching fee

Expedition fee

Remarks

FORM NO. 15

(Civil)

[Rule 3(2) and 3(4), Chapter XIV]

Register of licensed clerks employed by Advocates of the High Court

.....

1. Licence No.
2. Name of licensed clerk
3. Father's name
4. Residence of licensed clerk.
5. Date of licence
6. Name of Advocate by whom employed
7. Remarks

Note — Not more than two or three names should be entered on each page, and as each renews his licence from year to year the date of each renewal should be entered on the same page in Column 5.

FORM NO. 16

(Civil)

[Rule 3(4), Chapter XIV]

*Licence for Advocates' clerks, other than articled clerks,**High Court licence*

(Not transferrable)

No.....

Advocate, during the year

dated 19.....

This is to authoriseson of

Licensing authority,residing at To be

produced when required and to act as the return for renewal on

licensed clerk of

(on the reverse)

To the Licensing Authority

Year

Date of renewal and

Please renew for

Renewing Officer's

signature

Signature of the

Advocate

FORM NO. 17

(Civil)

[Rule 1, Chapter XV]

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM:NAGALAND:MEGHALAYA: MANIPUR:

TRIPURA:MIZORAM AND ARUNACHAL PRADESH)

(Civil Appellate Jurisdiction)

Title Page

PART I

(This file must be preserved for ever)

Appeal fromNo..... of 19.....

.....Appellant

Versus

.....Respondent

Date of decision of High Court

Date of decision of Supreme Court.....

FORM NO. 17-A

(Civil)

[Rule 1, Chapter XV]

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Civil Appellate Jurisdiction)*

Title Page

PART II

(This file must be destroyed at the end of 3 years)

The above period shall be calculated from the date of the final decree or order, which, in cases appealed to the Supreme Court will be that of the decree or order of the Supreme Court.

Appeal fromNo..... of 19.....

.....Appellant

Versus

.....Respondent

Date of decision of High Court

Date of decision of Supreme Court

FORM NO. 18

(Civil)

[Rule 2, Chapter XVI]

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM:NAGALAND:MEGHALAYA: MANIPUR:
TRIPURA:MIZORAM AND ARUNACHAL PRADESH)*(Civil Appellate Jurisdiction)*

(1) Serial No. and date of application

(2) Date when requisition for the record made by the
Inspection Assistant [same date as in the item (1)
above] ...(3) Date of receipt of record by Inspection Assistant[3 days
from the date mentioned in item (2) above]....

Searching fee Re.1 in Court-fee
vide R.5, Chapter XII
Rule 5, second proviso, Chapter
XII of these Rules

Inspection fee Re.1 or Rs.5 as the case Stamp
may be vide R.5, Chapter XII
Provided that no fee shall be levied
from parties to appeals or other

proceedings in the Court, or their advocates, for inspecting the records of such appeals or proceedings if the records relating thereto have not been deposited in the record-room of the court.

Application for inspection of the record in the undermentioned Pending/Desposed case.

Description of case	Number Year	Description of the papers of which inspection is required	Name of person or persons who will inspect the record (not exceeding three) including the Inspecting Advocate

The..... 19.....

Signature of the Advocate
for

Note — If the applicant is a stranger of a party appearing in person in a case, he must say so in the application.

..... Section

Please supply the record.

Superintendent

.....

FORM NO. 19
(Civil)
(Rules 15 and 16, Chapter XVII)
Application for Information

Serial No.

*Re:

Appeal

Rule

Revision

District

Province

Space for searching Fee

No. of ... 19...

1. * Nature of Information required

*The 19...

Signature of Applicant

2. Date when the applicant will call for the information:

3. Office report regarding information:

The 19....

Signature of Officer
supplying information

4. Information received on:

The 19...

Signature of Applicant

To be perforated

*Re:

Appeal

Rule

Revision

No. of ... 19...

District

Province

5. Date by which information is to be ready

6. Information: supplied on

*To be filled in by the applicant.

Signature of Officer supplying
the information

Note — A searching fee will be charged on all application, if the information required will necessitate a search in the record room of record of the appeal or proceedings from which the information can be obtained.

FORM NO. 20

(Civil)

(Rule 2, Chapter XVII)

To

The Registrar, Assam High Court, Gauhati

Challan No. Dated Gauhati, the day of 19.....

Sir,

I beg to tender this challan for depositing the undernoted amount for credit of the account of which the details are noted below:

No. of Appeal: F.A. M.A.(F), S.A. M.A.(S), S.C.A. Rule ... of 19.....

Name of person on whose behalf the money is tendered

Particulars of deposit

Amount tendered (in words) Rs. a. p.

Advocate for Appellant/Respondent

PERSONAL LEDGER ACCOUNT
High Court, Appellate Jurisdiction

Challan No. ... The day of 19.....

To

Local Treasury

Imperial Bank of India (Public Accounts Department)

No. of Appeal: F.A. M.A.(F), S.A. M.A.(S), S.C.A. Rule ... of 19.....

Rs.....

Please receive from advocate for appellant/respondent on account of the sum of rupees..... for credit of the Accountant-General, Assam, with account of the Registrar, Appellate Jurisdiction, High Court if tendered to you, today under the head.....

Accountant

RECEIPT

Local Treasury/Imperial Bank of India

Challan No. Gauhati of 19.....

No. of Appeal: F.A. M.A.(F), S.A. M.A.(S), S.C.A. Rule ... of 19.....

Rs.....

Received from advocate for appellant/respondent the sum of rupees..... as per High Court Challan No. 19..... for credit of the Accountant-General, with the account of the Registrar, Appellate Jurisdiction, High Court.

Treasury Officer/Superintendent.

FORM No.20-A
(Civil)
[Rule 1, Chapter XVII]

APPENDIX-I : FORMS: CIVIL

Original
Challan

Account No.

Treasury of High Court, Appellate Side
Dated..... 19.....

By whom On what
brought account

Amount
Rs. a.p

Total Rupees
(in figures)
Total Rupees
(in words)

Cashier

Examined and entered

Accountant

Duplicate
Challan

Account No.

Treasury of High Court, Appellate Side
Dated..... 19.....

By whom On what
brought account

Amount
Rs.a.p

Total Rupees
(in figures)
Total Rupees
(in words)

Cashier

Examined and entered

Accountant

Receipt
Challan

Account No.

Treasury of High Court, Appellate Side
Dated..... 19.....

By whom On what
brought account

Amount
Rs.a.p

Total Rupees
(in figures)
Total Rupees
(in words)

Cashier

Examined and entered

Accountant

FORM NO. 21

(Civil)

(Rule 10, Chapter XVII)

To

The Registrar, Assam High Court, Gauhati.

Rs..... Appeal No.... of 19.....

.....Appellants

Versus

.....Respondents

Sir,

Please allow me to withdraw the sum of Rs..... being the surplus amount on account of the cost of preparation of paper-book in the above appeal deposited on behalf of the appellants/respondents.

I am authorised by the Vakalatnama filed by me to withdraw the money.

Yours faithfully,

The 19.....

Advocate for the Appellant/Respondent

Appeal No.of 19.....

Shri advocate for the appellants/respondents, is authorised by Vakalatnama filed by him to withdraw money from this court on behalf of the appellants/respondents mentioned in his application.

Superintendent..... Section

Certified that a sum of Rs..... (Rupees..... annas..... pies.....) only is due for refund to the appellants/respondentsin the above appeal and that there is no stop order in force affecting the refund.

Accountant

Refund the sum of Rs..... annas..... pies..... only to the appellants/respondents through his/their advocate

Registrar.

FORM NO. S.C.1

(Rule 21, Chapter VI)

Notice for grant of Certificate

Notice under O. XLV, R.3(2), C.P.C.

No. S.C.A.

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Appellate Civil Jurisdiction)***Application for leave to appeal to the Supreme Court.**

No. of 19.....

(Appeal from..... Decree No..... of 19.....)

.....Petitioners to the Supreme Court

Versus

.....Opposite Party

To

The above-named Opposite Party,

Take notice that the above-named petitioners to the Supreme Court have applied to this Court for a certificate that, as regards amount or value and nature, the above case fulfils the requirements of Section 110 of the Code of Civil Procedure, 1908, or that it is otherwise a fit one for appeal to the Supreme Court.

The day of 19..... is fixed for you to show cause why the Court should not grant the certificate asked for.

Given under my hand and the seal of the Court this day of 19.....

Deputy Registrar.

APPENDIX-II

FORMS (CRIMINAL)

[Only those Forms which are specifically mentioned in the rules have been incorporated in this Appendix]

FORM NO. 1

(Criminal)

(Rule 8, Chapter XI)

No..... Cr.....

From

The Registrar of the High Court of judicature in Assam at Gauhati.

To

The Magistrate of the District of

Dated Gauhati the..... 19.....

Jury Reference No..... of 19.....

Sir,

High Court
(Criminal)

The State

-Versus-
AccusedCharged under
Section of the
Indian Penal Code

I am directed to inform you that the case noted in the margin* which has been submitted to the High Court by the Sessions Judge of under Section 307 of Act V of 1898, with a view to setting aside the verdict of the Jury before whom the accused/prisoner was tried, has been set down for hearing on the 19..... or as soon thereafter as the business of the Court will permit, and to request that you will give notice accordingly to the accused/prisoner, intimating to me hereon that you have done so.

2. The material exhibits of the case, if any, need not be sent until called for by the Court.

Yours faithfully,

Registrar.

Memo No. Cr..

Copy forwarded to the Government Advocate, Assam, for his information.

High Court
Criminal Section
The 19.....

By order of the High Court.

Registrar.

FORM NO. 2

(Criminal)

[Rule 8 (i), Chapter XI]

No..... Cr.....

From

The Registrar of High Court of Judicature in Assam at Gauhati.

To

The Magistrate of the District of

Dated Guwahati, the19.....

(Death Reference No..... and Appeal No..... of 19.....

Sir,

HIGH COURT

(Criminal)

The Sessions Judge of having referred to this Court for confirmation under Section 374 of the Code of Criminal Procedure, the proceedings of this Court, dated the of 19....., convicting..... son of of murder and sentencingto death under Section 302 of the Indian Penal Code, I am to request that you will inform the prisoner that the reference has been set down for hearing on the of19..... or as soon thereafter as the business of the Court will permit and along with which the appeal which has been/may be preferred by will also be heard and disposed of.

2. You are also requested to intimate to me hereon that notice has been served as directed.

Yours faithfully,

Registrar

Cr.....

Memo No.....

Copy forwarded to the Government Advocate, Assam, for his information.

High Court

By order of the High Court

Criminal Section

The.....19.....

Registrar

FORM NO. 3

(Criminal)

(Rule 8 (i), Chapter XI)

No. Cr. ...

From

The Registrar of the High Court of Judicature in Assam at Gauhati

To

The District Magistrate of Esqr.

Advocate for Appellant(s)

Dated Gauhati 19.....

(Appeal No. of 19.....)

Sir,

High Court

Criminal

Present:

The Hon'ble

Mr. Justice....

The Hon'ble Mr.

Justice.....

Under Section 422 of the Code of Criminal Procedure, I am directed to forward herewith a copy of the Court's order, dated the and to inform you (request you to take notice) that the case marginally *noted is set down for hearing on the day of 19....., or as soon thereafter as the business of the Court will permit (and to request that you will give notice thereof to the appellant(s) and report actual service of notice to me before the date fixed for the hearing of the case).

*Appeal of appellants

convicted under S...

of the I.P.C. and sentenced by the Session

Judge of on

The 19....

Yours faithfully,

Registrar

*Strike out if not required.

Memo No. Cr.

Copy, together with a copy of the Court's order, dated the 19.... forwarded to the District Magistrate of with the request that pending the hearing of the appeal, he will release the appellant(s).... .. on bail to satisfaction of the District Magistrate/ cause the realisation of the fine to be stayed.

High Court:

Criminal Section

By order of the High Court

The19.....

Registrar

Memo No. Cr....

Copy forwarded to the Sessions Judge of for his information and with a request that he will forward the papers of the case, including the Magistrate's commitment record, at once. Should they not be despatched so as to reach this office on or before the and explanation of the delay should be given.

2. The material exhibits of the case, if any, need not be sent until called for the Court.

High Court:

By order of the High Court

Criminal Section

Registrar

The19.....

Memo No. Cr.

Copy, together with a copy of the Court's order, dated the19..... forwarded to the Government Advocate, Assam for his information.

High Court.

By order of the High Court

Criminal Section

The19.....

Registrar

FORM NO. 3-A*

(Criminal)

[Rule 8(ii)(a) & 16 (ii)(a), Chapter XI]

From :

To :

The Speaker of the House of People,
Parliament House, New Delhi.

The Chairman of the council of States,
Parliament House, New Delhi.

The Speaker, Legislative Assembly,
Assam, Shillong.

Dated the

Subject : (Description of the case)

Sir,

In the abvoe proceeding, the applicant/opposite party proposes to rely upon the documents specified in the Annexure, which are in the custody of the House of Poeple/Council of States/Legislative Assembly. I have to request you to move the House, if you have no objection, to grant leave for the production of documents in the High Court and, if such leave is granted, to arrange to send the documentary certified copies of the documents so as to reach the Court on or before..... by registered post (A.D.) or through an officer in the Secretariat of the House.

Registrar,

Assam High Court

ANNEXURE

(Documents to be specified here)

FORM NO. 3-B*

(Criminal)

[Rule 8(ii)(b) & 16 (ii)(b), Chapter XI]

From :

To :

The Speaker of the House of People,
Parliament House, New Delhi.

The Chairman of the Council of States,
Parliament House, New Delhi.

The Speaker, Legislative Assembly,
Assam, Shillong.

Dated the

Subject : (Description of the case)

Sir,

In the abovoe proceeding, the applicant/opposite party proposes to examine..... an officer in the Secretariat of the House of Poeple/ Council of States/Legislative Assembly, as a witness in regard to matters specified in the Annexure, I have to request you to move the House, if you have no objection, to grant leave for the examination of the said officer in the High Court, and, if such leave is granted to direct the officer to appear in the Court at 10.00 A.M. on

Yours faithfully,
Registrar,
Assam High Court.

ANNEXURE
(Documents to be specified here)

FORM NO. 4

(Criminal)

(Rules 8 (i) & 16 (i) Chapter XI)

No. Cr. ...

From

The Registrar of the High Court of Judicature in Assam
at Gauhati

To

The Magistrate/Deputy Commissioner
The District of

Dated Gauhati, the19.....

(Appeal No. of 19.....)

High Court:

Criminal

Present: The Hon'ble Mr.
Justice and The Hon'ble
Mr. Justice..... *Appeal of
.....Appellant
convicted under Section

Under S. 422 of the Code of
Criminal Procedure, I am directed
to forward herewith a copy of the
Court's order dated the and to
inform you (request you to take

*I.P.C. and sentenced by the
Sessions Judge of
on the20.....*

notice) that the case marginally*
noted is set down for hearing on day
of19..... or as soon thereafter
as the business of the Court will permit.
As the appellant is confined in the
Jail, the District Magistrate of
has been requested to have the notice
served upon on.

Yours faithfully
Registrar

Memo No.Cr.....

Copy forwarded to the District Magistrate of with a request that he
will have notice of the date for hearing the appeal served upon the appellant, and
intimaite (to this notice hereon) that he has done so.

High Court:

By order of the High Court

Criminal Section

The20.....

Registrar

Memo No.....Cr.....

Copy forwarded to the Sessions Judge of for his information and
with a request that he will forward the papers of the case including the Magistrate's
commitment record at once. Should they not despatched so as to reach this
office on or before the20..... and explanation of hte delay should be given.

2. The material exhibits of the case, if any, need not be sent until called for
by the Court.

High Court Criminal Section

By order of the High Court

Registrar

The20.....

Memo No. Cr.....

Copy, together with a copy of the Court's order, dated the20.....
forwarded to the Government Advocate, Assam for his information.

High Court Criminal Section

By order of the High Court

The20.....

Registrar

FORM NO. 5

(Criminal)

(Rule 6(2), Chapter XI)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*Criminal Appellate/Revisional Jurisdiction*

Criminal No..... of19.....

Mr./Messrs

For Accused/Petitioners/Appellants

Mr./Messrs.

For Opposite Party/for the State

*This reference is accepted/rejected.

We direct that the accused/petitioners/appellants named be at once released and if on bail the bail bond cancelled,

be at once released on bail,

be called upon to surrender forthwith to his/their bail to serve out the (remainder *of the) sentence imposed upon him them be informed:

(1) that he/they has/have been sentenced to death,

(2) that the sentence of death passed on him/them has been confirmed.

(3) that the sentence of death passed on him/them has been commuted to transportation for life,

(4) that the sentence of death passed on him/them has been altered to rigorous imprisonment for ... years,

(5) that he has/they have been sentenced to.....

(6) that the sentence(s) passed on him/them has/have been confirmed,

(7) that the sentence(s) passed on him/them has/have been altered to....

Judgment follows:

Dated the19.....

Judge

Judge

Memo No..... Cr.....

Copy forwarded to the Sessions Judge, /Chief Judicial Magistrate' of / Sub-Divisional Judicial Magistrate' of for information and necessary action, with reference to his letter No. dated the

*An acknowledgment of the receipt of the Court's order by telegraph is requested. The actual date of surrender or release must be reported within a week of the receipt of this.

High Court.

By order of the High Court

Criminal Section

The19.....

Registrar

*Strike out if not required.

Note-1: In Form No. 5 the words "Chief Judicial Magistrate of / Sub-Divisional Judicial Magistrate of" have been substituted in place of the words "District Magistrate" vide correction slip No. HC.XI-4/65-68/1600/RC dated 9.2.1976.

FORM NO.6

(Criminal)

(Rule 8 (i) Chapter XI)

No.....Cr.....

From

The Registrar of the High Court of Judicature in Assam at Gauhati.

To

The District Magistrate of

Dated Gauhati, the 19.....

High Court (Government Appeal No.. 19.....)

Criminal

Sir,

The Hon'ble Mr. Justice

The Hon'ble Mr. Justice

The Government of

Appellant

Versus

Respondent

With reference to the accompanying copy of the petition of appeal, filed by the Superintendent and Remembrancer of Legal Affairs, Assam on behalf of the Government of Assam under Section 417 of the Code of Criminal Procedure, in connection with the case noted on the margin, I am directed to forward herewith a copy of the Court's order dated.....19...and to inform you under Section 422 of the said Code that the appeal has been set down for hearing on the19... or as soon thereafter as the business of the Court will permit, and to request that you will give notice thereof to the respondent intimating to me hereon that you have done so.

Convicted to on offence under
Section ... IPC by the
Magistrate of ... on the ..19..
and acquitted on appeal by
the Sessions Judge ofon
the..... 19.....

Yours faithfully,
Registrar

Memo No.

Cr.

Copy forwarded to the Sessions Judge of
for his consideration

High Court,
Criminal Section

By order of the High Court

Registrar

The.....19.....

Memo No.....

Cr...

Copy, together with a copy of the Court's order, dated the 19.....
forwarded to the Government Advocate, Assam, for his information.

High Court,
Criminal Section

By order of the High Court

Registrar

The.....19.....

FORM NO. 7

(Criminal)

(Rule 1, Chapter XV)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)

(Criminal Appellate Jurisdiction)

Appeal No..... of 19.....

The State

Versus

.....Appellants

Title Page

PART I

(This file must be preserved for ever)

Date of decision of High court.....

Date of deposit in the Record Room.....

FORM NO. 8

(Criminal)

(Rule 1, Chapter XV)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

Title Page

PART II

(This file must be destroyed at the end of three years)

The above period shall be calculated from the date of the final order.

Appeal No..... of 19.....

The State

Versus

.....Appellant

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 9

(Criminal)

(Rule 1, Chapter XV)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

Revision No..... of 19.....

.....Petitioner

Versus

.....Opposite Party

Title Page

PART I

(This file must be preserved for ever)

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 10

(Criminal)

(Rule 1, Chapter XV)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

Revision No..... of 19.....

.....Petitioners

Versus

.....Opposite Party

Title Page

PART II

(This file must be destroyed at the end of 3 years)

The above period shall be calculated from the date of the final order.

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 11

(Criminal)

(Rule 1, Chapter XV)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

Revision No..... of 19.....

.....Petitioner

Versus

.....Opposite Party

Title Page

PART I

(This file must be preserved for ever)

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 12

(Criminal)

(Rule 1, Chapter XV)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

Revision No..... of 19.....

.....Petitioner

Versus

.....Opposite Party

Title Page

PART II

(This file must be destroyed at the end of 3 years)

The above period shall be calculated from the date of the final order.

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 13

(Criminal)

(Rule 1, Chapter XV)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

Misc. Case No..... of 19.....

.....Petitioners

Versus

.....Opposite Party

Title Page

PART I

(This file must be preserved for ever)

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 14

(Criminal)

(Rule 1, Chapter XV)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

Title Page

PART II

(This file must be destroyed at the end of 3 years)

The above period shall be calculated from the date of the final order.

Misc. Case No..... of 19.....

.....Petitioner

Versus

.....Opposite Party

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 15

(Criminal)

(Rule 1, Chapter XV)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

Reference under Section 374, Code of Criminal Procedure

No.....of19.....

The State

Vs.

.....Accused

Title Page

PART I

(This file must be preserved for ever)

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 16

(Criminal)

(Rule 1, Chapter XV)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

Reference under Section 374, Code of Criminal Procedure

No..... of 19.....

The State

Versus

.....Accused

Title Page

PART II

(This file must be destroyed at the end of 3 years)

The above period shall be calculated from the date of the final order.

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 17

(Criminal)

(Rule 1, Chapter XV)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

Reference under Section 307, Code of Criminal Procedure

No.....and Appeal No.....of 19.....

The State

Versus

.....Accused

Title Page

PART I

(This file must be preserved for ever)

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 18

(Criminal)

(Rule 1, Chapter XV)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

Reference under Section 307, Code of Criminal Procedure.

No..... and Appeal No. of 19.....

The State

Versus

.....Accused

Title Page

PART II

(This file must be destroyed at the end of 3 years)

The above period shall be calculated from the date of the final order.

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 19

(Criminal)

(Rule 1, Chapter XV)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

Reference under Section 438, Code of Criminal Procedure.

No..... and Appeal No. of 19.....

.....Complainant

Versus

.....Accused

Title Page

PART I

(This file must be preserved for ever)

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 20

(Criminal)

(Rule 1, Chapter XV)

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

Reference under Section 438, Code of Criminal Procedure.

No..... of 19.....

.....Complainant

Versus

.....Accused

Title Page

PART II

(This file must be destroyed at the end of 3 years)

The above period shall be calculated from the date of the final order.

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 21

(Criminal)

(Rule 42, Chapter XI)

Form of Warrent

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

To

The Officer-in-charge of....

or

To.....

You are hereby required to have the body of now a prisoner in your custody (or now in your custody), before the High Court, on its Appellate Side, on the..... day of next, by of the clock in the forenoon of the same day to be dealt with according to law and you shall then and there abide by such order as shall in that behalf be made by the said Court (if the prisoner is detained in public custody, add) and unless the said..... shall then and there, by the said Court, be ordered to be released, you shall, after the said Court shall have dispensed with his further attendance, cause him to be conveyed under safe and sure conduct back to the said.....

Dated this..... day of 19.....

Registrar

FORM NO. 22

(Criminal)

[Rule 42, Chapter XI]

Form of Warrant

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

To

The Officer-in-Charge of the(name of asylum), or to (name of officer) in charge of B.C. an alleged lunatic.

You are hereby required to have the body of B.C., now a prisoner in the (name of Jail) or now in custody at the (name of Jail) or now in custody at the (name of asylum) or now in your charge, under safe sure conduct before the High Court, on its Appellate Side, on the day and of next, by of the clock in the forenoon of the same day there to be dealt with according to law, and unless the said B.C., shall then and there by the said Court be ordered to be discharged, cause him, after the said Court shall have dispensed with his further attendance, to be conveyed under safe and sure conduct, back to the said jail (or asylum or other custody).

Dated day of 19.....

Deputy Registrar

FORM NO. 23

(Criminal)

[Rule 42, Chapter XI]

Form of Warrant

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)*(Criminal Appellate Jurisdiction)*

To

The Officer-in-Charge of

You are hereby required to have the body of now a prisoner in the under safe and sure conduct before the High Court, on its Appellate Jurisdiction, on the day and of next, by of the clock in the forenoon of the same day there to give testimony in a certain charge or prosecution now pending before the said Court against..... and after the said shall then and there have given his testimony before the said Court, or the said Court shall have dispensed with his further attendance, cause him to be conveyed, under safe and sure conduct, back to the said.....

Dated day of 19.....

Registrar

FORM NO. 24

(Criminal)

[Rule 42, Chapter XI]

Form of Warrant

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)

(Criminal Appellate Jurisdiction)

To

The Officer-in-Charge of the

You are hereby required to have the body of now a prisoner in the under safe and sure conduct before the officers assembled at a Court-martial (or before the Commissioner) at on the day of next, by of the clock in the forenoon of the same day for the trial of the said)or there to give testimony in certain trial now pending before the said Court-martial, or the said Commissioner against..... of as the case may be), and after the trial of the said or after the said shallthen and there have given his testimony before the said Court-martial (or the said Commissioner) or the said Court-martial (or the said Commissioner) shall have dispensed with his further attendance, cause him to be conveyed, under safe and sure conduct, back to the said.....

Dated day of 19.....

Registrar

FORM NO. 25

(Criminal)

[Rule 42, Chapter XI]

Form of Warrant

IN THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)

(Criminal Appellate Jurisdiction)

To

The Officer-in-Charge of the

You are hereby required to have the body of now a prisoner in the to be conveyed, under safe and sure conduct, to the jail at and on or before the day of made or tot he Officer-in-charge of such jail to be kept by him there in intermediate custody for the purpose of trial before the High Court in the exercise of Appellate Criminal Jurisdiction at the next sitting to be held at.....

Dated day of 19.....

Registrar